

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#6
23
3/17/03

Applicants: Bauer, et al.)
Application Number: 10/083,446)
Filed: February 26, 2002)
Group Art Unit: 1647)
Examiner: Robert S. Landsman)
For: METHOD OF EX-VIVO EXPANSION)
OF HEMATOPOIETIC CELLS USING)
INTERLEUKIN-3 MUTANT)
POLYPEPTIDES WITH OTHER)
HEMATOPOIETIC GROWTH FACTORS)

CERTIFICATE OF MAILING

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Robert Paiz
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Washington, DC 20231

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RESPONSE TO OFFICE ACTION MAILED JANUARY 29, 2003

This is a response to the restriction requirement set forth in the Office Action mailed January 29, 2003.

Restriction has been required to one of the following groups:

- I. Claim 55 and 60-61, 63-65 in part, drawn to cultures stem cells obtained in the presence of the IL-3 of SEQ ID NO:1, classified in class 435, subclass 325.
- II. Claim 56 and 60-61, 63-65 in part, drawn to cultured stem cells obtained in the presence of the IL-3 of SEQ ID NO:4, classified in class 435, subclass 325.
- III. Claim 57 and 60-61, 63-65 in part, drawn to cultured stem cells obtained in the presence of the IL-3 of SEQ ID NO:7, classified in class 435, subclass 325.
- IV. Claim 58 and 60-61, 63-65 in part, drawn to cultured stem cells obtained in the presence of the IL-3 of SEQ ID NO:8, classified in class 435, subclass 325.

- V. Claim 59 and 60-61, 63-65 in part, drawn to cultured stem cells obtained in the presence of the IL-3 of SEQ ID NO:9-48, classified in class 435, subclass 325.

In addition, if Applicants elect Group V, they are required to elect one SEQ ID NO (SEQ ID NO: 9-48) to be searched.

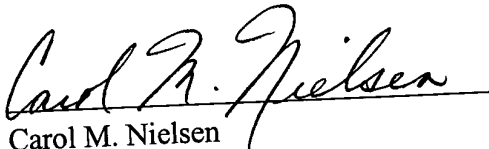
Applicants elect, with traverse, to prosecute the subject matter of Group V as found in Claims 59 and 60-61, 63-65. As further required, Applicants elect with traverse SEQ ID NO: 32 to be searched.

Applicants elect with traverse because examination of the five groups simultaneously does not impose an undue burden of examination on the Examiner. Applicants submit that it would not put an undue burden on the Examiner to search Groups I through V at the same time.

If restriction requirement is made final, applicants reserve the right to continue prosecution of non-elected Groups I through IV in one or more continuing applications.

Respectfully submitted,

Date: February 28, 2003

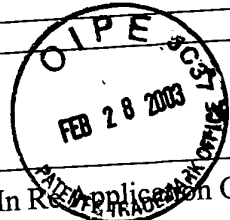
By: 
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Attorney Docket No. 126181-1038

3-3-03

GAM 1647

**TRANSMITTAL LETTER**
(General - Patent Pending)Docket No.
126181-1038

In Re Application Of:

Bauer, et al.

Serial No.

10/083,446

Filing Date

February 26, 2002

Examiner

Robert S. Landsman

Group Art Unit

1647

Title:

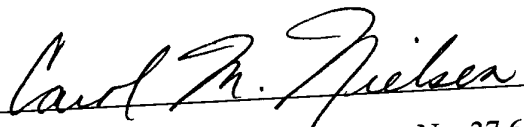
METHOD OF EX-VIVO EXPANSION OF HEMATOPOIETIC CELLS USING INTERLEUKIN-3
MUTANT POLYPEPTIDES WITH OTHER HEMATOPOIETIC GROWTH FACTORS**TO THE COMMISSIONER FOR PATENTS:**

Transmitted herewith are the following documents:

1. Response to Office Action Mailed January 29, 2003;
2. Change of Correspondence Address; and
3. Acknowledgment Postcard.

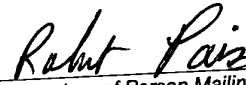
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- ☒ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 07-0153 as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____
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Date: February 28, 2003**CERTIFICATE OF MAILING**

I certify that this correspondence is being deposited on this day with the U.S. Postal Service as Express Mail under 37 C.F.R. 1.10 and is addressed to: Commissioner for Patents, Washington, DC 20231.


Signature of Person Mailing CorrespondenceRobert Paiz
Name of Person Mailing Correspondence

Date of Signature: February 28, 2003

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